

FILE #15  
D. Wehler  
10/11/00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Frank H. Portugal, *et al.*

Examiner: J. Souaya

Serial No.: 09/027,439

Group/Art Unit: 1655

Filed: February 20, 1998

Attorney Docket No.: 044198.0000

For: Compositions and Methods for  
Differentiating Among *Shigella*-  
Species and *Shigella* from *E. Coli*  
Species

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING  
37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the U.S.  
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Commissioner for Patents, Washington, D.C., 20231, on the date below:

August 4, 2000  
Date

Gloria L. Norberg  
Gloria L. Norberg

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants submit herewith patents, publications or other information which may be material to the patentability of claims of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)(h)), or as an admission that the information cited is, or is considered to be, material to patentability.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Form PTO-1449 is enclosed herewith. A copy of reference A9 is provided herewith. The present application claims priority to U.S. provisional application SN 60/038,117, filed February 20, 1997

Enclosed is a check in the amount of \$240.00 for the fee for filing a Supplemental Information Disclosure Statement filed under §1.97(c)(2).

It is respectfully requested that this Supplemental Information Disclosure Statement and the document listed on attached Form PTO-1449 be considered by the Examiner, be made a part of the official record, and be cited in the issued patent.

Respectfully submitted,

*Gloria L. Norberg*

Gloria L. Norberg  
Reg. No. 36,706  
Agent for Applicants

Dated: August 4, 2000

Akin, Gump, Strauss, Hauer & Feld, L.L.P.  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
Telephone: (512) 499-6200

## AKIN, GUMP, STRAUSS, HAUER &amp; FELD, L.L.P.

ATTORNEYS AT LAW

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
INCLUDING PROFESSIONAL CORPORATIONS

1900 FROST BANK PLAZA

816 CONGRESS AVENUE

AUSTIN, TEXAS 78701

(512) 499-6200

FAX (512) 499-6290

August 4, 2000

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Gloria L. Norberg

Re: U.S. Patent Application SN 09/027,439 entitled "Compositions and Methods for Differentiating Among *Shigella* Species and *Shigella* from *E. coli* Species" - Portugal, *et al.* (based on 60/038,117); Our Ref: 044198.0000; UM Ref. No.: LS-97-046

Sir:

Enclosed for filing are the following:

1. Request For Extension of Time; Amendment; and Response to Office Action mailed April 4, 2000;
2. A Supplemental Information Disclosure Statement, PTO-1449, and a copy of listed reference;
3. Firm checks in the amount of \$94.00 to cover the fee for a one-month Extension of Time and one additional independent claim, and in the amount of \$240.00 for submission of an Information Disclosure Statement under 1.97(c)(2); and
3. Return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should the check be insufficient or omitted, or should an overpayment be included, the Commissioner is authorized to deduct or credit said fees from or to Akin, Gump, Strauss Hauer & Feld, L.L.P. Deposit Account No. 01-0660.

Respectfully submitted,

Gloria L. Norberg

Gloria L. Norberg

Reg. No. 36,706

Agent for Applicants

GLN:pj  
Enclosures